BUSINESS IN THE OTHER COURTS.

Summonses-Cases in Admiralty-Question of Commissions on Usurious Interest-Decisions.

Abraham Werner, who had been charged with having in his possession a large quantity of unstamped cigars, was held yesterday by Commissioner Shields to await the action of the Grand Jury. Defendant committed in default of \$500

The officials of the United States Circuit Court are badly off for adequate accommodation for the discharge of their duties. There is neither room enough for the filing away of the public records nor have the officers suitable apartments for the conduct of examinations in either civil or criminal natters. This, however, will soon be remedied, as the expectation is that the new Post Office building-the upper portion of which is to be used as federal courts, offices, &c.—will be entirely finished and ready for occupation early next fall. When finished the new Post Office will be both an ornament and a credit to the city of New York. It is built to last for at least 1,000 years.

The trial of Victoria Woodhull, Tennie Claffin

and James W. Blood, for alleged libel, was commenced yesterday in the General Sessions before City Judge Sutherland. Some brief and uninteresting testimony was taken, when the case went over till this morning. Application for reduced ball was refused. The prisoners, being unable to furnish the necessary ball, were remanded to the

Tombs.
Some cases of burgiary and larceny ended in the terms of short imprisonment.

THE KING-O'NEIL TRAGEDY.

Continuation of the Testimony for the Prosecution-Full Explanation of the Divorce and Other Legal Complications Leading to the Shooting-Story of the Tragedy as Told by Eye-Witnesses.

Now that the trial of James C. King for the lieged murder of Anthony F. O'Neil has got fairly under way, the crowd thronging the court room is much larger than heretofore. On the ening of the Court of Oyer and Terminer yesterday, Judge Brady on the bench, the rush to gain admission revived recollections of the eager crowds present at the trial of Stokes, Tweed and All the jurors were promptly in their Maces, as likewise were Mr. Phelps, the District Attorney, and Mr. Lyons, his assistant. The prisoner, with the same apparent cool indifference, took his accustomed seat, and cordially greeted his counsel, ex-Judge Beach, William F. Howe and John O. Mott, as, one after another, they came into the court room. The prisoner's was also present, as on the previous day, and so, too, was Mrs. O'Neil, the wife of the murdered man. Several ladies were also in attendance. Of course all were anxious to hear the further developments of the case as revealed in the testimony of additional witnesses to be called for the prosecution. The principal witness was Mr. Dupignac, who ployed as counsel for nearly all the parties more immediately connected with the terrible tragedy. He gave a very clear and succinct statement of the somplication of difficulties leading to the shooting. Other witnesses recited the particulars of the homicide, and some testimony was introduced to show previous threats of King against the life of O'Neil. All the important points of the testimony will be found in the report of the day's proceedings as given below:—
FHE MEDICAL EVIDENCE—TESTIMONY OF DR. CUSH-

Dr. Joseph Cushman, Deputy Coroner, testified that he made an examination of the body of Anthony F. O'Neil; he lound a wound on the right side of the chest, between the second and third ribs; on opening the body he traced the wound through the upper lone of the right lung, through the right side of the heart, through the liver and into the stomach, where he found a leaden bullet;

the right side of the heart, through the liver and into the stomach, where he found a leaden bullet; the direction of the wound was inward and to the left; the entrance to the stomach was from the top; that wound was the cause of death.

Cross-examined by Mr. Beach—The ball went through the soft parts; the point of entrance to the body was one to three (perhaps three) inches nigher than the point of entrance to the stomach; supposing two persons of equal height, standing on a level, and one, holding the pistol horizontally, fires at the other, I could not exactly tell the course the bullet would take or the angle.

TESTIMONY OF FRANK J. DUFURNAC.

Frank J. Dupignac was the next witness called. He testified as follows:—I am a lawyer, residing in this city; I have known the prisoner since the summer of 1869; at that time I was clerk in the office of Mr. James K. Hill, and it was there I made the prisoner's acquaintance; I made the acquaintance of O'Neil in the summer of 1872; prior to that time I had acted pricesionally for the prisoner; ne employed me in February, and I ceased to act for him in May; he had a conversation with me about the 1st of August, 1872, relative to his difficulties with Mrs. King: this was before I had met Mr. O'Neil; I subsequently—about the 1oth of August, 1872—commenced to act as attorney for Mr. O'Neil; I had never seen Mrs. King up to that time; a suit was brought by Jesse Foulk against Mr. King to reciaim furniture secreted at Mr. King's residence on the Eric road, and I represented Mr. Foulk: Mr. O'Neil had something to do with the removal of the furniture from Turner station.

King's residence on the Eric road, and I represented Mr. Foulk; Mr. O'Nell had something to do with the removal of the furniture from Turner station.

THE DIVORCE SUTS.

I was next counsel for Mrs. King in a suit for divorce from the prisoner, and for Mrs. O'Nell in a suit of replevin by the prisoner to recover a sewing machine from Mrs. O'Nell; then I represented Mr. O'Nell on a complaint of subornation of perjury by Mr. King, and atterwards in a suit for divorce on the ground of adultery with Mr. O'Nell, brought by the prisoner against Mrs. King; I was counsel for Mrs. King; the suit for limited divorce brought by Mrs. King; the suit for limited divorce brought by Mrs. King was in September, 1822, on the 16th September, 1872, the prisoner sommenced a suit for absolute divorce against him; the replevin suit by the prisoner against Mrs. O'Nell, for a sewing machine, was commenced in August, and the complaint of King against O'Nel, which was tried in Jersey City, was commenced in September; there was a suit brought by King against O'Nel, which was tried in Jersey City, was commenced in September; there was a suit brought by King against O'Nel, which was tried in Jersey City, was commenced in September; there was a suit brought by King against O'Nel, in Orange county, for seduction of his wife; I learned about this from King.

Q. What did he tell you about that suit; what did he say?

The question was energetically objected to by the delence, but was allowed by the Court.

A. He told me he instructed the deputy to arrest O'Nell in presence of his wife; that he accompanied the deputy and O'Nell to the car; that he sat behind them and had a pistol, and was prepared to shoot O'Nell If he made any attempt to escape or made any movement.

FIRS HOOTING.

I was present on benalf of Mrs. O'Nell at the hearing before Judge Sutherland, November 18, 1873; Mr. and Mrs. O'Nell and Mrs. Foulke and her sitter were present, Judge Sutherland's partner, two stanographers, the prisoner came in, howed to the witnesses were there; af

THE COURTS.

and while witness was about half-way down-eight stairs from the top and it welve from the bottom—he heard a pistol shot; Mrs. O'Neil was about three steps in advance of witness at this time; a second report came very quickly, and there was a longer interval between the second and third shots; by this time witness had got the bottom of the stairs—just before the third shot, by this time witness had got the bottom of the stairs—just before the third shot, and he saw Mrs. O'Neil standing on the third shot on his hip, and Mrs. O'Neil standing on the third shot of his right arm; witness heard a remark from Mrs. O'Neil, witness heard a remark from Mrs. O'Neil, witness heard a remark from Mrs. O'Neil supporting her susband at the bottom of the stairs; a Catholic priest was sent for, and o'Neil was baptized before ne died; did not see the prisoner all this time; he did not see the prisoner all this time; he did not see the prisoner make any remark; the following morning Judge Fullerton, Mrs. O'Neil and witness tound fresh bullet marks on the wall, and, at the loot of the stairs, a hole in the casing of the window.

Q. Did the prisoner, subsequent to the 15th of August, say apything with regard to his wife in

of the window.

Q. Did the prisoner, subsequent to the 15th of August, say anything with regard to his wife in connection with the content of the connection with the connection of the connecti

after the last shot the prisoner returned to the room, with the pistol in his hand and the barreis still smoking, and handed it to Judge Sutherland, saying. "Here, Judge?" witness rand sow own stairs and saw O'Neil lying at the loot; came back to the room, and found that King had gone into the private room and locked the door; Mrs. O'Neil said to witness while he was down stairs, "For God's sake, run up and see that the murderer don't escape." that was before Mr. O'Neil was dead; an officer came and kicked at the door and called to King to open; after the lock was pretty well loosened King to open; after the lock was pretty well loosened King so pened it, and came out and surrendered, and said, "You may search me."

Cross-examinod—When the first shot was fired Mr. Adams remarked, "He is killing him?" would not like to swear positively that King said "You may search me," but is pretty sure it was said, "RETIMONY OF OFFICER GINNEY.

Officer Gibney testified that on the evening of the 15th of November, 1873, a gentleman came up to him in Nassua street and told aim there was a man shot in No. 42 Pine street; he went there, and Judge Sutherland met him on the stoop and told him the man who did it was in his private room; he went up and called out, "I am a police officer, open;" there was no answer; kicked at the door and started the panel around the lock; witness went back to the table and asked Judge Sutherland for the revolver, and got it (dentifies it, a five-shooter); there was partiy behind the door; he wore dark pants, a light overcoat, gloves, his hands in his coat pockets, and a cane stekling up from the left pocket; witness stood in the door, the wore dark pants, a light overcoat, gloves, his hands in his coat pockets, and a cane stekling up irom the left pocket; witness stood in the door; he wore dark pants, a light overcoat, gloves, his hands in his coat pockets, and a cane stekling up irom the left pocket, witness said. "I am a officer k M. Adams, stenographer, testified that he was engaged in taking the

Cell, TESTIMONY OF WALTER S, LOGAN.
Walter S, Logan, a lawyer, testified that in November, 1873, he was cierk with Scudder & Co., who were lawyers for King in the Dankruptcy pro-Mr. Beach—Did he consult you about business matters?
Witness—I asked him about his divorce suits and the proceedings generally.

Judge Brady said he understood the proceedings to be privileged.

Mr. Pheips didn't see anything in the relations between client and lawyer that enabled him to make the lawyer his confidant of his intention to commit a murder.

Judge Brady said neither did he, but the witness occupied professional relations with the prisoner, and under recent decisions, his impression was, the communication was privileged. He would not, however, saut out the question until he consulted the authorities, but let it be withdrawn for the present.

TESTIMONY OF DENIS M. QUICK.

Denis M. Quick, lawyer, testified that O'Nen came into his office after being shot, and sat down and turned pale; he said nothing; a priest came and administered the sacrament; O'Neil died quietly. Judge Brady said he understood the proceedings

and turned pale; he said nothing; a priest came and administered the sacrament; O'Neil died quietly.

TESTIMONY OF ALRON P. DALRYMPLE.

Aaron P. Dalrymple, who first examined the body of O'Neil, issuided that the bullet entered at an angle of thirty degrees.

John H. Comer testified that the bullet entered at an angle of thirty degrees.

John H. Comer testified that be is a farmer and delivers mik in the city; he knew O'Neil, who was in the freight department of the Eric Railroad; he became acquainted with the prisoner and frequently came down on the same train with the prisoner and the deceased; on several occasions the prisoner complained that O'Neil was interfering between him and his wife, and on one or two occasions threatened to "masn" or "amash" his head; on several occasions noticed the prisoner getting very excited on seeing Mr. and Mrs. O'Neil and Mrs. King coming from the ferryhouse, and saw him following them in a very excited manner, and from this and other circumstances witness was induced to see Mr. O'Neil and teil him to look out, as King was a desperate man and would do him some mischief.

Cross-examined—we used to cross by the upper ferry to Twenty-third street; after leaving the sery King used to walk behind them fifty feet or so; Mr. O'Neil and Mrs. King walked first out of the ferry and Mrs. O'Neil followed them,

EXETIMONY OF SETH E. WAINER.

Beth E. Warner testified that he kept a hotel at Turner's Station in 1872, and saw the deceased and the prisoner a good deal together and very friendly until the summer of 1872, when their intimacy ceased; on one occasion King came to witness and said, "O'Neil is a dammed fool, he had better look out;" witness asked "why?" "Because," said he, "I shot my father-in-law;" "How?" said i; "in seil-defence," says he, "we was a large man and he knocked me down; I knew it was his habit to stamp on a man when he got him down that way, so I just drawed my pistol and shot him; I didn't kill him though," then he added that O'Neil hab better look out; "witness

District Attorney Phelps here, for the twentieth time, called "Joseph Long," but Joseph a usual, was not forthcoming, whereyon Mr. Phelps expressed his fear that the witness had been done away with.

The Court, shortly before 5 P. M., adjourned until this morning. It is expected that the testimony or the prosecution will be incished to-day and the defence be opened.

THE ROCK ISLAND POOL CASE.

Decision in Favor of the Defendants Plaintiffs Allowed to Amend Complaint. Before Judge Van Brunt.

William M. Earle and Another vs. George S. Scott, William E. Strong and Others.—In this case, in which plaintiffs seek to recover \$300,000 for alleged losses suffered by them in acting as brokers for the famous Rock Island Pool, Judge Van Brunt, in Supreme Court, Special Term, has decided, in the following opinion, to dismiss the complaint, allowing plaintims, however, upon payment of costs, to serve a new complaint:-

The defendants demur upon three grounds:— First—That there is a defect of parties defends Second—the several causes of action have properly united; and First—That there is a defect of parties defendant.
Second—The several causes of action have been improperly united; and causes of action have been improperly united; and complaint does not state facts sufficient to constitute a cause of action.

The first ground of demurrer—viz. that there is a derect of parties defendant, does not seem to me to be well taken. The allogation is that the defendants and certain other persons, whose names are unknown to these plaintiffs pray for leave to join additionable servered, the plaintiffs pray for leave to join additionable servered in the action of the plaintiffs pray for leave to join additionable service of interest and the process of the plaintiffs of the properties of the parties of the plaintiffs of the properties of the plaintiffs of the provide for unknown defendants. The plaintiffs certainly cannot be bound to name as defendant persons of whose nathes they are ignorant. The third ground of demurrer is that the complaint does not state facts sufficient to constitute a cause of action. I think that a fair interpretation of this complaints hows that the plaintiffs allege the formation of the congruence of the appointment of whitiam 8. Woodward as the manager of that copartnership, the appointment of William 8. Woodward as the manager of that copartnership, the purchase of a large amount of stock and a sale or closing out of that stock by the order of Woodward at a loss of \$500,000 to the plaintiffs. The exact meaning of the words "closing out" is not given, but we would understand by them that they had terminated their contracts for the stock by and with the consent of Woodward. These facts certainly show a good cause of action. If the language used in the complaint is indefinite and uncertain it can be remedied upon motion. The second ground of demurrer is that several causes of action have been improperly united, in that all the defendants named in the complaint are not liable for the whole, amount of the broken of before that was written? The witness could not.

Mr. Beach then read the letter. It was dated August 12, and notified King that Mr. Dupignac would cease to act as his counsel, in consequence of his having employed other counsel in his bank-ruptcy proceedings.

The Court here took a recess, and, if possible, on the reassembling of the Court, the room was more crowded than before.

TESTIMONY OF BOBERT BONNER.

Robert Bonnings, stenographer, testified that he was waiting for some other business in Judge Sutherland's office, November 18, 1873; when the divover reference began he went away to dinner and returned at two o'clock, and found all the parties there; saw them leave the room a lew minutes after the proceedings closed; then Mr. King and Mr. Dupignac had some dispute about the day fixed for the next sitting, and they referred to Judge Sutherland's diary; Mr. King was sitting all the time: when all the other parties leit Mr. Aing went out battly, closed the door after him, and witness, who remained inside, heard a report and guessed that he was killing him; Mr. Adams, another stenographer, who was taking notes on the King case, ran out and immediately after the last shot the prisoner-returned to the room, with the pistol in his hand and the barrels and some last shot the prisoner-returned to the room, with the pistol in his hand and the barrels and sow O'Neil lying at the look; came back to copartnerships was as follows:—"the first partnership was to hold the stock by it purchased; and the second partnership was to make additional purchases of stock, and thereby enhance the price of the stock so that both parinerships might make large gains and profits thereby." Bhere is no dearling in all this that would make one copartnership hable for stock bought by or for account of the other. The fact that the defendant William S. Woodward was a member of both parinerships and was the manager of both does not alter the question. I suppose that two firms may appoint one man their agent, and each only be liable for his acts when he assumes to act for that firm. Is is, of course, immaterial whether these partnerships were two separate or distinct combinations or one combination. Whose object and scombinations or one combination, whose object and scombinations or one combination. Whose object and scombinations or one combination. The second combination of the same, he seemed in the answer that these partnerships were formed of different members, this demirrer cannot be satisfied. The first partnership was formed of the delendants, eight in number, and other parties whose names are unknown. If therefore appears that the partnership were different second combination or partnership tormed the second combination or partnership were different from those who formed the first and the vere different from those who formed the first and the vere different from those who formed the first and the vere different from those who formed the first and the two combinations cannot be safel its his fact, was the ground taken upon the argument by the learned conseinable for all the damages sustained by the detendants in the purchased or stocks for both. This, in fact, was the ground taken upon the argument by the learned conseinable for the plaintegal liability upon the learned conseinable more parameter of costs of demurrer.

Mr. Dudley Field for two of the defendants; Mr. Marburry for defendant scott; Henry S. Bennett Mr. Dudley Field for two of the defendants; Mr. Marbury for defendant Scott; Henry S. Bennett for all the other defendants; William H. Anthon for plaintiffs,

BUSINESS IN THE OTHER COURTS.

UNITED STATES DISTRICT COURT.

Admiralty Cases-Decisions. A libel was filed by John T. Walsh against the teamboat John Farron, to recover for supplies furnished to the steamer. In this case yesterday, in the United States District Court, Judge Blatchford rendered his decision, dismissing the libel. He says:—"As the libel alleges that the vessel was a lien upon her by the maritime law for the sup-plies, and none by the local law of New York." D. McMahon for the libellant; R. D. Benedict for the

McMahon for the libellant; R. D. Benedict for the claimant.

The Judge has also decided the case of John Jackson vs. James T. Easton and James McMahon. This action was brought to recover damages for injury to a canalboat by the bursting of the boiler of a steam tug. The libel is dismissed with costs. W. R. Beebe for the libellant; W. W. Goodrich for the claimant.

In the matter of William Cavan against the steamship Angelica, which was an action to fecover for damages caused by a collision, the Judge orgers a decree for the libeliant with costs, with a reference to a commissioner to accertain the amount of manages.

SUPREME COURT-CHAMBERS.

Decisions.

Decisions.

By Judge Donohne.

Mutual Life insurance Company vs. Martin, Smith vs. Smith, Hadlay vs. Boehm, Fanning vs. Fanning, Slate vs. Crystal Spring Company.—Memorandums.

Waish vs. Clancy, Winsor vs. The Phœnix Warehouseing Company, Byrne vs. The Underground Railway Company.—Motions denied.

Zabriskie vs. Meyer.—Motion denied as to abidement.

abidement.

Meyer vs. Heath.—Motion denied, with \$10 costs.
Davis vs. Brown, in the matter of the application
of the Directors of Arnold's Electro-Gaivanc Iron
Works, Arnold vs. Arnold.—Orders granted.
In the matter, &c., application of Fridway.—
Motion granted.

Motion granted. Van Tassel vs. Van Tassel, White vs. Mernam.—Granted.

SUPERIOR COURT-TRIAL TERM-PART I.

Interest. Before Judge Monell. old suft brought by the Merchants' Exchange National Bank to recover the value of 204 hogsheads of tobacco, amounting to some 1100,000,

has been on trial in this Court for the past two days. It was claimed that Cornelius Cakley, a to-bacco merchant, obtained moneys from the cashier of the bank for purchase of the tobacco, and that in this way the latter had become largely indebted to the bank, and that subsequently he obtained advances from the warehouse company on the tobacco. The warehouse company claimed that under its charter it was empowered to make advances upon goods in its charge and charge commissions the same as commission merchants. The case went to the Court of Appeals on demurrer to the complaint. It was held by the Court of Appeals that if the charge of commission was bond fade the warehouse company was entitled to recover; but if it was a mere cover for the exaction of usurious interest that then the bank would be entitled to recover. The testimony was about the same as at the previous trial. The jury, not having agreed at a late hour, they were ordered to bring in a sealed verdict.

SUPERIOR COURT-SPECIAL TERM. Decisions.

By Judge Cartis.
Adams vs. Hansen; Bull's Head Bank vs Waddell;
Frame vs. Dale.—Motions granted.
By Judge Van Vorst.
Van Buren vs. Cort.—Judgment for plaintiff and
accounting ordered.

COURT OF COMMON PLEAS-TRIAL TERM-PART I. Suit for Advances to Market Sweepers.

Before Judge Loew.
During several months in 1870 Phineas H. Kings land advanced money to the city amounting to some \$9,000 to pay the market sweepers, and the latter assigned to him their claim. The Board of Apportionment made an appropriation to pay of apportionment made an appropriation to pay
the amount. A warrant was drawn for the same
and just then came in the Foley injunction preventing its payment. Not having been able since
to get his money from the city, suit was brought
in this Court for the amount. The case came on
for trial yesterday, Mr. William C. Truli appearing
for the plaintiff and Mr. Dean for the city. The defence is that there is no appropriation to cover the
ciaim.

Cases Where the City Won't Pay Rent. For sixteen years past the Croton Aqueduct Department has occupied as a storeroom a portion of No. 12 Chambers street, the rent being \$400 s year. The rent was paid regularly until last year, when the Comptroller refused payment, and, thereupon, suit was brought to compel payment The defence was that the Common Council had never authorized the hiring of the premises, and it was insisted that if such a thing was allowed all the departments of the city might be hiring all sorts of premises for all sorts of purposes. Mr. Dean represented the city and Malooim Campbell the plaintiff. The jury, however, could not agree and were discharged.

COURT OF COMMON PLEAS-SPECIAL TERM. Decisions.

By Judge Larremore.

McAllister vs. McAllister; Terwilliger vs. Terwilliger.—Reports confirmed. Divorces granted.
Harris vs. New York W. S. B. Railroad Company.—Motion denied without prejudice.
People ex rel. vs. McCloskey vs. Green.—The question of payment and acceptance must be tried. Application denied.

Moynahan vs. Same.—See memorandum.

By Judge Robinson.
Canning vs. Canning,—Motion to confirm denied. Ordered case be sent back for further proof.
Ehringer vs. Ehringer.—Motion for alimony, &c., denied.

By Judge Larremore.

denied.

By Judge Larremore.

Barnum va. the Mayor, ac.; Matthews va. Same; Suavey vs. Same; Gallagner vs. Same; Downs vs. Same; De Esprit vs. Same; Quinn vs. Same; Orow vs. Same; Bunn vs. Same; Same; Morton vs. Same; Wagner vs. Same; Santer vs. Same; Dolan vs. Same; Simmons vs. Same; Shotvell vs. Same; Underbill vs. Same; Cot vs. Same; Swinson vs. Same; Geander vs. Same; Pitzpatrick vs. Same; Van Ranst vs. Same; Skinner vs. Same; Kane vs. Same. Judgment for plaintiffs. Demurrers overruled.

MABINE COURT-PART 2.

Judgments at Inquest. Beiore Judge Shea.

John McLoughlan vs. Christopher Keyes.—Judgment for plaintiff, \$103 90, with cost of action.

Bethnal C. Wheeler vs. William C. Moore et al.—

Judgment for plaintiff \$810 87, with costa.

MASINE COURT-PART 3. Decisions.

By Judge Joachimsen.
Lowenblen vs. Howe.—Judgment for Plaintiff for \$370 48 and costs and \$25 allowance.
Madden vs. Oleo-Margarine Manufacturing Company.—Judgment for plaintiff for \$390 05 and costs and \$25 allowance.
Seymour vs. Same.—The like, for \$333 97 and \$25 allowance.
Walsh vs. Same.—The like, for \$154 86 and costs and \$25 allowance.

wash vs. Same.—The like, for \$254 30 and costs and \$25 allowance.

Brewster vs Same.—The like, for \$254 30 and costs and \$25 allowance.

Young vs. Same.—The like, for \$233 97 and costs and \$25 allowance.

McKeliar vs. Meyers.—Verdict and judgment for plaintin for \$101 53 and costs and \$25 allowance.

Ganse vs. McClave.—Verdict and judgment for plaintin for \$39 72 and costs and \$25 allowance.

Rich vs. Gordon.—Judgment for plaintin for \$34; no costs.

TOMBS- POLICE COURT. Stolen Bonds Brought to Light. Before Justice Bixby.

On the 10th of March, 1873, the office of the Pennsylvania and Western Railroad Company, No. 50 Broad street, was entered and fifty-six \$1.000 therefrom. Captain Irving has had the case in his therefrom. Captain Irving has had the case in his hands ever since, and, after a long search, traced them through various hands to William C. Brandon, of No. 746 Broadway. Captain Irving and Detective McDongal went to Brandon's place on Wednesday night and arrested him. The safe was searched, and the flity-six bonds were found, put away in a secret drawer. Brandon, being brought before Justice Bixby at the Tombs Court yesterday afternoon, was held in \$40,000 bail to answer. Brandon, who has been arrested a number of times on minimar charges, denied that he had any knowledge of the bonds being stolen, and stated that he had bought them in a regular business way.

business way.

How to Recover a Lost Watch. Mrs. M. D. Starr, of No. 155 Lexington avenue was robbed of her watch in a Fourth avenue can last Tuesday evening. The following day she

last Tuesday evening. The following day she placed an advertisement in the Herald offerin \$50 reward, and a lew days after received the lo lowing as an answer to the advertisement:—

Mrs. Sraw-I have paid \$40 for a watch found som time last week. It is a real Henry Copt watch, worthout \$135 or \$150-a monogram ladies' gold watch, will not lake \$60 for the watch, so increase the reward yours.

P. S.—Answer through Commercial Adection or Expression of the second of the second

will not take \$00 for the watch, so increase the reward yours.

P. S.—Answer through Commercial Advertiser or Express.
The lady advertised as requested, and two men called on her with a written agreement. She recognized one of the parties presenting the agreement as the person who had taken such an interest in her when she first expressed her feelings in the car on the loss of her watch. Detective Williamson arrested the two men. They were taken to the Central Police Office and discharged by Inspector McDermott. Mrs. Starr, with Detective Williamson, came before Justice Bixby yesterday and told her story to that magistrate.

"Where are these men, officer?" said Justice Bixby.

"Well, Your Honor," answered the officer, "Inspector McDermott thought they were respectable men and discharged them."

Judge Bixby—Inspector McDermott has no right to usurp functions that do not belong to him. I want those men brought here, omcer.

Later in the afternoon Mrs. Starr was ushered into the examination room, and also Detective Williamson. The two persons who had been so anxious to get Mrs. Starr's watch for her were also present. Henry E. Pike, of No. 53 West Eighteenth street, was one, and Charles Crawford, of No. 419 Sixth avenue, the other.

Judge Bixby, at the conclusion, handed Mrs. Starr her watch, and said to Pike and Crawford that he left that they had been engaged in a swinoling transaction, and was sorry that the law did not warrant him in holding them to answer. The lady put her watch in her pocket, for which she did not warrant him in holding them to answer. The lady put her watch in her pocket, for which she did not warrant him in holding them to answer. The lady put her watch in her pocket, for which she did not warrant him in holding them to answer. The lady put her watch in her pocket, for which she did not warrant him holding them to answer. The lady share the such and the page of the page o The Policy Dealers.

Thomas J. Taylor and eleven others, who were arrested on Wednesday in a Chatham street policy shop, were yesterday taken before Judge Bixby Three of the men arrested testified that they had bought policy slips from Taylor, and two of them were sent to the House of Detention. The rest,

were sent to the mouse of Detention. The rest, with the exception of Taylor, were discharged. He was held in \$1,000 bail to answer.

Sergeant Blair, of the Second Precinct, yesterday morning visited a policy shop slieged to be kept by Henry Van Tassell at No. 9 Ann street, The books, papers, &c., were seized and taken to court. Only one person, a negro, was arrested, besides Van Tassell. He was discharged, and Van Tassell was held in \$1,000 bail to answer. Burglary in Mott Street, On the 26th of February the premises of Mrs.

Alice Menzer, No. 230 Mott street, were broken into and \$400 worth of jewelry and clothing carinto and \$400 worth of jewelry and clothing carried off. Mrs. Menzer apprised Captain Irving of her loss, and he detailed officer Fields to work up the case. Wednesday night the officer arrested two young men, namea Francis Hopkins and William Kelly, on suspicton, in a saloon on the Bowery, between Houston and Stanton streets. They were searched in the station house and a gold chain was found in the possession of Kelly, which was subsequently identified by Mrs. Menzer, As Hopkins and Kelly had both been seen prowing around No. 230 Mott street about the time of the robbery, they were held in \$2,000 ball, each, to answer, Question of Commissions on Userious

COURT CALENDARS-THIS DAY.

SUPREME COURT—CHAMBERS—Held by Judge Donohue.—Nos. 45, 62, 68, 73, 78, 85, 93, 97, 98, 99, 101, 109, 108, 168, 120, 129, 130, 166, 167, 168, 172, 175, 178, 181, 182, 184, 186, 186, 189, 198, 199, 200. Call

175, 178, 181, 182, 184, 185, 186, 189, 193, 199, 200. Call 201.

SIPREME COURT—GENERAL TERM—Held by Judges Davis, Daniels and Lawrence.—Preferred causes—Nos. 100, 102. Enumerated motions—Nos. 130, 131, 134, 135, 136, 137, 138, 140, 141, 142, 143, 144, 145, 146, 147, 148, 148, 149, 151, 152, 154, 155, 156, 157.

SUPREME COURT—CIRCUIT—PARI 2—Held by Judge Van Brunt—Nos. 2952, 2950, 2800, 2948, 1685, 2018, 2418, 2346, 2796, 2844, 1238, 1288, 2003, 2309, 2168, 2244, 2488, 2142, 2380, 2792, 2790, 2995, 2878, 2510, 2798. PART S—Adjourned 2018 Monday.

SUPREMOR COURT—TRIAL TERM—PART 1—Held by Judge Monell—Court opens at eleven A. M.—Nos. 363, 896, 845, 653, 637, 741, 1023, 871, 731, 865, 469, 633, 353, 361, 671. Part 2—Held by Judge Freedman.—Nos. 1060, 860, 880, 886, 887, 868, 484, 650, 870, 1490, 836, 878, 819, 478, 890.

COURT OF COMMON PLEAS—GENERAL TERM—Part 1—Held by Judges C. P. Daly, Rowinson and J. F. Daly.—Nos. 69, 145, 38, 56, 57, 112, 142.

COURT OF COMMON PLEAS—TRIAL TERM—Part 1—Held by Judges Loew.—Nos. 2120, 68, 2077, 1369, 2720, 1303, 832, 2420, 2281, 2346, 570, 1551, 2499, 2178, 1590.

MARINE COURT—TRIAL TERM—Part 1—Held by Judge Spaulding.—Nos. 3217, 4407, 4530, 2364, 2352, 4568, 3246, 3410, 3412, 3443, 3451, 744, 8443, 3451, Part 2—Held by Judge Snea.—Nos. 3389, 3311, 3333, 3115, 3416, 23833, 2493, 3427, 3429, 3433, 3437, 3443, 3441, 3443, 3461, Part 3—Held by Judge Spaulding.—Nos. 3813, 4619, 4579, 4397, 4451, 5588, 4593, 3205, 4518, 4617, 4420, 4131, 4082, 4290, 3809.

BROOKLYN COURTS.

SUPREME COURT-SPECIAL TERM.

A Sensation for Society and the Politicians-Action Against James B. Craig for Alleged Assault-\$10,000 Damages Claimed-Order of Arrest Granted-The Defendant Leaves the City. Before Judge Pratt.

There has been considerable talk in political circles during the past few days over a suit brought egainst Mr. James B. Craig, the lawyer and known democratic politician of this city, by Mr. assault and battery. The plaintiff is the son of Mr. William Parks, a prominent and wealthy resident of Brooklyn, a member of the Prospect Park Fair Grounds Association and well known among the turrmen of this part of the country. Craig, the defendant, is one of the leading democratic politicians of Kings county and his reputation extends throughout the During the administration of Governor Hoffman he was a member of the Governor's staff. He was also, formerly, Chairman of the Kings County Democratic General Committee, and has always been among the foremost in the local and State councils of his party. He is associated in the law business with Mr. Sidney Webster, the son-in-law of Secretary Fish.

It seems that a month or so ago young PARKS AND CRAIG HAD SOME DIFFICULTY

with each other, which, however, was understood to have been finally settled. On the 20th ult, Craig, in company with his wife, called at the plaintiff's residence, No. 100 Montague street, and on residence, No. 100 Montague street, and on entering the parior had a few words with Parks. Parks made some quick reply, when, as charged, Craig struck him on the head and wrist with a cane. The former wrenched the cane from his grasp, whereupon Craig seized an iron poker from near the fireplace and was about to renew the assault, when a brawny domestic, who had been attracted to the place by the noise of the rencontre, interiered and deprived him of the weapon. Craig then SEIZED A PAIR OF TONGS and started for the plaintiff, who was escaping upstairs. At this juncture of affairs Mr. B. G. Smith, the orother-in-law of young Parks, appeared upon

and started for the plantad, who was escaping up stairs. At this juncture of affairs Mr. B. G. Smith, the prother-in-law of young Parks, appeared upon the scene and prevented any further demonstra-tions on the part of the defendant, who shortly af-terwards left the house.

This suit was subsequently brought, damages be-ing laid at \$10,000. On Wednesday last Mr. Thomas E. Pearsall, counsel for plaintlif, appeared before Judge Pratt and applied for an order of arrest ayainst Craig.

guings Fratt and applied for an order of arrest against Craig.

Judge Pratt granted the order and fixed the bail at \$500. The order was delivered to a deputy sheriff, who immediately repaired to Mr. Craig's residence in Montague terrace, where he ascertained that the defendant had leit the city. The officer returned and so reported. Thus the case stands at present. Mr. Craig is still out of town, and it has not appeared when he will return.

rest Vacated-Another Suit. Judge Pratt yesterday decided to vacate the order of arrest against ex-President Baez in the suit of David Hatch, already fully reported. The decision is as follows :-

decision is as follows:—
Upon reading and filing the order, to show cause made herein by Mr. Justice Gittert on the 3d day of March instant, and an affidavit of Euenaventura Baea, the dendant, on which said order was granted, and the component affidavit of David Hatch, the plaintif, and after hearing Mr. Van Wagner and Mr. Choate for the defendant in behalf of their motion to vacate the order of arrest granted herein by Mr. Justice Pratt on the 2kth day of February, 1874, holding the defendant to bail in the sum of \$25,000, and Mr. Maxwell and Mr. Cross, for the plaintiff, in opposition to said motion, and due deliberation having been had, it is ordered that the said order of arrest be, and the same is hereby wacated, and that the said defendant be and the same is hereby discharged from custody thereunder, with \$10 costs to defendant.

Another Supit.

Another suit has been commenced against Bacz, the plaintiff being Mr. Julius M. Columbani, of New York. Yesterday his counsel applied to Judge | the Court of Claims .- This was an action Pratt for an order of arrest against the defendant. The application was based on a lengthy amday it setting forth that in 1870 the plaintiff was imprisoned by Baez illegally, and that his health, commercial credit and reputation were greatly impaired thereby. He claims damages in the sum of \$200,000.

The application was denied. It will probably be renewed before some other Supreme Court judge in New York or Brooklyn.

CITY COURT-SPECIAL TERML Alleged Illegal Increase of Crosstown Railroad Stock. Before Judge Neilson.

Alderman Demas Strong, a large stockholder in the Crosstown Railroad Company, has brought suit to restrain the Board of Directors from in-creasing the capital stock by \$100,000 by issuing dditional shares to that amount, and selling them additional shares to that amount, and selling them for fliry per cent of the par value of the same. The Board have passed a resolution to that effect and given printed notice of their intention. The plantiff alleges that if this be accomplished the value of the original stock held by him and others will be depreciated. He claims that all such action is illegal.

Judge Neilson has granted a temporary injunction and an order to show cause why a permanent injunction should not issue. The case will be heard next Tuesday.

UNITED STATES SUPREME COURT.

Decisions WASHINGTON, March 5, 1874. No. 451. Grover & Baker Sewing Machine Com-

pany, Wheeler & Wilson Sewing Machine Company and the Singer Manufacturing Company vs. Florence Sewing Machine Company-Error to the Supreme Judicial Court of Massachusetts.-This was an action by the Florence Company, a Massachusetts corporation, against the other companies to recover back certain moneys alleged to be due from them by reason of overpayments made by the Florence Company as patent rent under an agree-ment providing for a reduction in the rent in case of the granting by the other companies of any additional licenses. The suit being brought in the Supreme Judicial Court of the State, motion was additional licenses. The suit being brought in the Supreme Judicial Court of the State, motion was made to remove it to the Circuit Court of the United States. The Grover & Baker Company was a Massachusetts corporation also, but the other two were foreign corporations—one of Connecticut and the other of New York. The Court below held that where one of the derendant corporations was of the same State with the plaintiff, where the suit was brought, removal was not authorized, and the trial proceeded and resulted in favor of the Florence Company. The question presented here was whether the Court was right in this decision of the guestion of removal. Mr. Justice Clifford delivered the opinion of the Court at considerable length, affirming the judgment below. At the conclusion it is said:—"Either the non-resident plaintiff of non-resident defendant may remove the cause under the act for that purpose, provided that all the plaintiffs or all the defendants join in the perition, and all the parties petitioning are non-residents, as required under the Judiciary act; but it is a great mistake to suppose that any such right is conferred by that act when one or more of the plaintiffs or one or more of the petitioning defendants are citizens of the State in which the suit is pending, as the act is destitute of any language which can be properly construed to confer any such right, unless all the plaintiffs or all the detendants are non-resident and join in the petition." Dissenting, Justices Miller and Bradley.

No. 577. The Chicago City Railroad Company vs. Alltoner.—Appeal from the Circuit Court of the Northern District of Unions.—The directors of the Northern Districts of Unions.—The directors of the contents of

Alltoner.—Appeal from the Circuit Court of the Northern District of Illinois.—The directors of the company, without consultation or calling a meeting of the stockholders, resolved to increase the capital stock of the company from \$1,250,000 to \$1,500,000. The appellee, a stockholder, objected to the proceeding and filed his bill to prevent the

increase, insisting that it could not be lawfully done without the concurrence of the stockholders. The Court below sustained the position and re-strained the act. That decree is here affirmed on strained the act. That decree is here affirmed on the ground that a change so organic and funda-mental as that of increasing the capital stock of a corporation beyond the limit fixed by the charter cannot be made by the directors alone, unless ex-pressly authorized thereto. Mr. Justice Strong de-livered the opinion.

No. 555. Baltimore and Potomac Railroad Com pany vs. Trustees of Sixth Presbyterian Church-Error to the Supreme Court of the District of Columbia. - The church recovered a judgment against the company for \$11,500 damages for running the the company for \$11,500 damages for running the road through Sixth street in iront of the church edifice. The company obtained a writ of error, and a motion was made to dismiss ton the ground that the law under which the assessment of damages was made by the jury in the case was a Marshand statute, which, by the construction of the Maryland courts, does not allow an appeal or writ of error. Mr. Justice Miller delivered the opinion denying the motion, holding that the writ has in such a case, notwithstanding that the writ has in such a case, notwithstanding the objection urged. The early decision of this Court, it is said, held that the right to the writ exists by virtue of the apeliate power of this Court as defined in the act of 1801 creating the Circuit Court of the district, and the Court is governed by that act.

No. 163. Barring Bros. vs. Dabney, Morgan &

No. 168. Barring Bros. vs. Dabney, Morgan & Co .- Error to the Supreme Court of South Carolina.—This case involved the distribution of the assets of the Bank of the State of South Carolina. on its own account and as the financial agent of the State, now in the nands of a receiver, and particularly the question of the title of the fire loan bondholders and the fire loan stockholders—bonds and stock, negotiated by the bank, under the authority of the State, for the rebuilding of Charlesston after the fire of 1888. The bonds were taken up in Europe and the stock in the United States. The former had the guarantee of the bank, and the latter did not. The decision is that the fire loan bondholders are on an equal footing with the other creditors of the bank and that the fire loan stockholders are not creditors of the bank at all, and not entitled to any participation in the lund. The assets are directed to be distributed among the creditors of the bank in proportion to the amount of claims, reducing those arising during the war to their values in national currency. This is an affirmation of the judgment of the Supreme Court of the State. Mr. Justice Bradley delivered the opinion. Mr. Justice Strong dissented.

No. 200. Croply vs. Cooper.—Appeal from the State, now in the hands of a receiver, and particu-

No. 200. Croply vs. Cooper.—Appeal from the supreme Court of the District of Columbia.—William Cooper left a will containing the following clause:—"To my daughter, Elizabeth Croply, at her mother's death I give and bequeath the rent of my house on Pennsylvania avenue, in the city of Washington, for and during her life, and at her death it is my will that the said house be sold and the avails therefrom become the property of her children, or child, when he, she or they have arrived at the age of twenty-one years, the interest in the meantime to be applied to their maintenance." The daughter had one child at the death of the testator, who lived to be twenty-one years of age, and died intestate and unmarried, in the lifetime of his mother. The mother, Elizabeth Croply, now claims the property under the clause of the will quoted. The Court below sustained a demurrer, holding that he devise over to the children or child, of Elizabeth Croply was contingent upon its, or their, surviving the mother, and, also, attaining the age of twenty-one years. That decree is here reversed, where it is held, in substance, that the testator vested the residuum in the child or children of Elizabeth Croply, and there left it without further disposition—to now go to the mother. Mr. Justice Swayne delivered the opinion.

No. 184. Sawyer vs. Pickett et al.—Appeal from the Circuit Court for the Northern District of Illiington, for and during her life, and at her death it

the Circuit Court for the Northern District of Illi nois.-This was the foreclosure of a mortgage given by the appellees to the Fox River Valley Railroad company to secure a subscription note, and by the company assigned to the appellant. The defence was that the note and mortgage were obtained by fraud of the company practised to induce property owners in the locality of the appellee to subscribe to its stock. The Court below sustained the defence and dismissed the bill. That decree is here reversed, the Court holding that the defence is not satisfactorily proven, and that, as against the appellant, a bond fide holder, without notice, it should not be gustained. Mr. Justice Hunt delivered the opinion. Company to secure a subscription note, and by the

No. 210. Schooner Mary H. Banks vs. Steamer

Falcon-Appeal from the Circuit Court for the District of Maryland .- This was the reversal of a decree dismissing the libel of the schooner in a case of collision on the Chesapeake Bay in July, 1867, the principle afterwards being that it was the duty of principle afterwards being that it was the duty of the steamer to see the schooner as soon as she was to be discovered, watch her progress and direction, observe the general situation and thus keep out of her way, having at command all the means to do so—ample sea room, calm weather and water, abundant light and no other vessel in proximity on either side. It is also said the steamer was grossly at fault in approaching too near the schooner and at too high a rate of speed, which, as asserted, was the real cause of the disaster. Mr. Justice Swayne delivered the opinion. No. 207. Town of Queensbury vs. Culver-Error to the Circuit Court for the Northern District of New York.-This was an action on interest warrants attached to bonds issued by the town in aid of the construction of a railroad from the village of of the construction of a ratiroad from the village of Glenn's Palls to intersect the Saratoga and White-hall Railroad. The bonds were purchased by the defendant in error, without notice of any defence. On the trial the unconstitutionality of the law authorizing the subscription and various irregularities were urged as rendering the bonds invalid, but the Judgment was for the complainant, and is here affirmed on the authority of the numerous decisions by this Court in similar cases. Mr. Justice Strong delivered the opinion.

No. 63. Caldwell vs. United States—Appeal from the Court of Glaims. This was an action on a con-

tract for the transportation of military stores supplies in the West. The government mainsupplies in the west. The government main-tained that there was no covernant to employ Cald-well on the route to the exclusion of other persons or means, but the Court of Chaims gave judgment for the claimant for a portion of the amount alleged to be due. The judgment is nere reversed and the defence of the government sustained. Mr. Justice Hunt delivered the opinion.

No. 184. Clarke et al. vs. Johnson et al., execu-

tors—Appeal from the Circuit Court for the Southern District of New York.—The appellants sought to recover of the defendants as executors of one Boorman, who was last surviving executor of their great grandfather, J. R. Smith, the present value of certain lands of which he died seized. The compisinants were children of the son of a daughter of the testator, their grandfather dying before their grandmother. A codicil to the will provided for the children of a daughter whose husband should survive her, but not for the children of a daughter who should survive her husband. Hence It was held below and is affirmed here that the limitation over to the grandchildren provided by the codicil does not inure to the benefit of the complainants. Mr. Justice Miller delivered the opinion. Boorman, who was last surviving executor of their

No. 199. Zautzinger vs. Gunton-Appeal from the Supreme Court of the District of Columbia. This was the affirmance of a decree of the Supreme Court of the District determining that certain lands conveyed by the parents of the wife of Zaut-zinger to Gunton terminated their interest in the property and vested it in Gunton and the Bank of Washington, of which he is President, and con-cludes the complainants as heirs. Mr. Justice Miller delivered the opinion.

No. 211. Morgan ex S. N. Gay—Error to the

Circuit Court of Louisiana.—The testator was charged as the drawee and acceptor of an inland bill of exchange of which one Goodrich was the drawer, and with being the drawer of another of which Picher and Goodrich were the drawees. which Plicher and Goodrich were the drawees. The plaintiff did not allege that the payee and first endorser was a citizen of a State other than Louisians, only averting that he was a citizen of Louisians, only averting that he was a citizen of Louisians, only averting that he was a citizen of Louisians, only averting that he was a citizen of Louisians, only averting that he was a citizen of Louisians and the Cause remanded that amende ments may be made to the pleadings showing the citizenship of the endorsers of the bills and whether such as to give jurisdiction. Mr. Justice Strong delivered the opinion.

No. 181. Kiein vs. Russell—Error to the Circuit

Court for the Northern District of New York.—This was an action to recover for an alleged infringement of a patent for improvement in the process ment of a patent for improvement in the process of preparing bark-tanned sheep and lamb skins for gloves, by the agoncy of "fat liquor," an article produced by the scouring of deciskins after taning in oil. The judgment below was for the patentse, the verdict having found the fact of infringement, and it is sustained here. Mr. Justice Swayne delivered the opinion.

No. 478. Rollo, Assignee in Bankruptcy—Appeal

from the Circuit Court for the Northern District of Hunois.—This was an affirmance of a decree below, refusing to allow Gray to set off an indebtedness due from him to the assignee against an equal amount of indebtedness due from the assignee to the firm of Gray Brothers, of which he was a partner. Mr. Justice Bradley delivered the cpinion:

Ex parte State Insurance Company of Missouri.

Motion for a mandamus, to compel the Circuit Court to try the cause removed thereto, denied. Mr. Justice Miller delivered the opinion.

ARREST ON A CHARGE OF MAIL ROBBERY.

John Dillon, thirty-four years of age, was arrested in Brooklyn yesterday, upon the charge of having rebbed the United States mail. The prisoner was employed to carry the mails on the railroad, between Winona and Carleton, Miss, and it is alteged be stole \$195 from a letter directed to Frederick Hall, at the former place, in February last. Suspicious becoming attached to him, he det to Brookiyn, where he was arrested, as set forth He is held to answer.